

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA :
: CRIMINAL NO. 3:14-CR- 2-CAR
:
v. : VIOLATION(S):
: 18 U.S.C. § 641
JAMES ERNEST MASTERS, III, : 18 U.S.C. § 981(a)(1)(c)
: 28 U.S.C. § 2461(c)
Defendant. :
: _____

THE GRAND JURY CHARGES:

COUNT ONE

(Theft of Government Property)

That from on or about October 2012, to on or about June 2013, in the Athens Division of the Middle District of Georgia, and elsewhere within the jurisdiction of this Court,

JAMES ERNEST MASTERS, III,

defendant herein, did knowingly and willfully embezzle, steal, purloin, and knowingly convert to his own use property of the United States Army Corps of Engineers, a department or agency of the United States, namely copper, aluminum, brass, and other items used to repair and maintain Hartwell Dam, to which he knew he was not entitled, and with intent to deprive said department or agency of the use

and benefit of said property, having a value in excess of \$1,000, all done in violation of Title 18, United States Code, Section 641.

NOTICE OF CRIMINAL FORFEITURE

(18 U.S.C. 981(a)(1)(c) and 28 U.S.C. § 2461(c))

1. The allegation contained in Count One of this Indictment is hereby re-alleged and incorporated by reference into this Notice for the purpose of alleging forfeiture to the United States of America, pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 641 as set forth in Count One of this Indictment, the defendant, **JAMES ERNEST MASTERS, III**, shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c), any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense, including, but not limited to the sum of approximately \$300,000.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon exercise of due diligence;
- (b) has been transferred, sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the court;

- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c).

A TRUE BILL.

s/ Foreperson of the Grand Jury
FOREPERSON OF THE GRAND JURY

Presented by:

MICHAEL J. MOORE
UNITED STATES ATTORNEY



DANIAL E. BENNETT

ASSISTANT UNITED STATES ATTORNEY

Filed in open court this 16th day of January, AD 2014.

C. Austin
Deputy Clerk